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UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/874,496	06/05/2001	Kevin James Kelly	1058.07	6170

7590 08/16/2005	**EXAMINER**
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ART UNIT	PAPER NUMBER
3623	

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DATE MAILED: 08/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	09/874,496	KELLY ET AL.
	Examiner	Art Unit	
	Scott L. Jarrett	3623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>*05 June 2001*</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-14* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-14* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>*05 June 2001*</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *1/2/2002*.

4)☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____ .

DETAILED ACTION

Abstract

1.   The abstract of the disclosure is objected to because is too short and does not

adequately describe the disclosed invention. Correction is required.

See MPEP § 608.01(b).

Title

2.   The title of the invention is not descriptive. A new title is required that is clearly

indicative of the invention to which the claims are directed.

The following title is suggested: Handheld Retail Site Survey System and

Method.

Claim Objections

3.   Claim 9 is objected to under 37 CFR 1.75(c), as being of improper dependent

form for failing to further limit the subject matter of a previous claim. Applicant is

required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper

dependent form, or rewrite the claim(s) in independent form. Claim 9 recites the same

limitations as Claim 1, specifically both Claim 1 and Claim 9 recite guiding a surveyor to

enter data in response to "the second prompts" and storing the data in "the second

database."

Claim Rejections - 35 USC § 101

4.   Claim 14 is rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

The basis of this rejection is set forth in a two-prong test of:

(1) whether the invention is within the technological arts; and

(2) whether the invention produces a useful, concrete, and tangible result.

For a claimed invention to be statutory, the claimed invention must be within the technological arts. Mere ideas in the abstract (i.e., abstract idea, law of nature, natural phenomena) that do not apply, involve, use, or advance the technological arts fail to promote the "progress of science and the useful arts" (i.e., the physical sciences as opposed to social sciences, for example) and therefore are found to be non-statutory subject matter. For a process claim to pass muster, the recited process must somehow apply, involve, use, or advance the technological arts.

Additionally, for a claimed invention to be statutory, the claimed invention must produce a useful, concrete, and tangible result.

Software, programming, instructions or code not claimed as embodied in computer-readable media are descriptive material per se and are not statutory because they are not capable of causing functional change in a computer. When such descriptive material is recorded on some computer-readable medium it becomes structurally and functionally interrelated to the medium and will be statutory in most cases.

Furthermore, software, programming, instructions or code not claimed as being computer executable are not statutory because they are not capable of causing functional change in a computer. In contrast, when a claimed computer-readable medium encoded with a computer program defines structural and functional interrelationships between the computer and the program, and the computer is capable of executing the program, allowing the program's functionality to be realized, the program will be statutory.

Regarding Claim 14, Claim 14 merely recites descriptive material (software) per se. Claim 14 is therefore deemed to be directed to non-statutory subject matter where there is no indication that the proposed software is recorded on computer-readable medium and/or capable of execution by a computer. Examiner suggests that the applicant incorporate into Claim 14 language that the proposed software is recorded on computer-readable medium and capable of execution by a computer to overcome this rejection.

Correction required. See MPEP § 2106 [R-2].

Claim Rejections - 35 USC § 112

5.   The following is a quotation of the first paragraph of 35 U.S.C. 112:

> The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

6.   Claim 6 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Regarding Claim 6 the disclosure fails to state or teach one of ordinary skill in the how to project future sales based on the information collected by the surveyor. Without this disclosure one skilled in the art would be unable to practice the invention without undue experimentation.

7.   The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

8.   Claim 12 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding Claim 12, Claim 12 recites the limitation "the customer" in claim 10. There is insufficient antecedent basis for this limitation in the claim.

Further Claim 12 recites the limitation "the database", examiner requests clarification as to which of the previous databases recited the applicant intended to refer (i.e. the first or the second databases).

Claim Rejections - 35 USC § 103

9.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

10.   Claims 1-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over

CASIO Soft, Inc.'s (CSI) MobileLink system, herein after MobileLink, aspects of which

are disclosed in the following supporting references:

    I. CASIO Soft Internet Pages (March 2000), herein after reference A.

    II. CASIO Soft Launches CSI MobileLink for Merchandising (April 1999), herein

    after reference B.

    III. Ginsberg, David, Lowering Merchandising Costs and Increasing

    Competitiveness with Mobile Technology (July 2000), herein after reference C.

        Regarding Claims 1 and 9 MobileLink teaches a method and system for

collecting, analyzing and reporting merchandising information, the system utilizes a

handheld computer (device, laptop, palm-top, etc.) to guide a surveyor (merchandiser,

user), via prompts (questions), to enter a plurality information such as store, product

(inventory, placement, etc.) or other user-defined information; the system then transmits

(transfers, synchronizes) the survey results to a another subsystem where the

information is stored (SQL database), analyzed and reported on (reference A: Page 1;

reference B: Paragraphs 1-3, Bullets 1 and 3-6; Page 2; reference C: Page 3-4).

MobileLink further teaches that the survey system was commercially available in 1999
and was in field testing for four years prior to its launch (reference B: Paragraph 4,
Page 2).

More specifically MobileLink teaches a system and method for conducting a
survey comprising:

-defining a series/sequence of steps (survey questions, prompts, etc.) for a
surveyor (creating a survey; reference A: "CSI MobileLink Desktop Administrator",
Pages 3-4; reference B: "PC questionnaire creation tool", Bullet 2, Page 3; reference C:
Paragraph 4, Page 2);

- generating a series of prompts (questions, steps, guides, first and second
prompts, etc.) to collect information (proposal data, reference data, survey data,
answers to questions/prompts, etc.) from the user via a handheld computer (device,
system, personal digital assistance, etc.; reference A: "CSI MobileLink CE", Page 3;
"Online Tour of CSI MobileLink CE", Pages 5-8; reference B: "in-store survey" ,
Paragraph 1, Page 2; "Key Benefits", Page 2"; Paragraph 1, Page 3);

- storing the series of responses (survey results, answers, etc.) in a database
(an organized body of related information) having at least a partially determined
structure (schema, design; reference A: Paragraph 1, Page 1; reference B: Paragraph
1, Bullet 4, Page 3);

- determining requirements for the retrieval of the data from the database (e.g.
selecting what data to synchronize with the central system or selecting what reports to
run over what data – by store, by date, etc.; reference A: Paragraph 1, Page 11);

- automatically retrieving selected data (reference) from the database (data set,

memory, etc.) according to the determined requirements (e.g. selection/report criteria;

reference A: "Online Tour of CSI MobileLink Web Reports", Pages 9-12);

- storing the selected data (selected data and reference data, survey responses,

etc.) in a database (reference A: Paragraph 1, Page 1; reference B: Paragraph 1,

Bullet 4, Page 3; Paragraph 3, Page 13); and

- generating a reporting including at least a portion of the selected/stored data

(reference data, proposal data, survey results, etc.; reference A: "Online Tour of CSI

MobileLink Web Reports", Pages 9-12; reference C: Paragraphs 3-4, Page 2; Screen 1,

Page 6).

While MobileLink discloses a flexible and customizable data collection and

analysis system (survey) that stores and analyzes a plurality of information in a

conventional database subsystem MobileLink does not expressly teach that the

collected data (survey results, proposal data, reference data) is stored in first and

second databases as claimed.

Official notice is taken that creating logical partitions of data (i.e. first and second

databases) is old and well known in the art and such partitions are created to assist in

the management of the database as a whole (e.g. control disk space allocation for

database data, assign specific space quotas for database users, control availability of

data by taking individual tablespaces online or offline, perform partial database backup

or recovery operations, allocate data storage across devices to improve performance, etc.).

For example conventional databases commonly comprise one or more tablespaces (logical data partitions), each made up of one or more data files wherein database tables and indexes are created within a particular tablespace (logical partitions) in the database.

Further the phrases "first database" and "second database" simply provide an label for the logical partition/location of the stored/organized survey results and therefore represent non-functional descriptive material since it is obvious in light of the prior art and to one skilled in the art at the time of the invention that where (in what file, data set, database, tablespace, etc.) the collected survey information is stored (one or more databases, data files, table spaces, etc.) in the system or its subsystems does not change the overall functionality of the system.

It would have been obvious to one skilled in the art at the time of the invention that the data collection and analysis system and method, with its utilization of well known and widely used "state-of-the art SQL database for data synchronization storage and reporting" (reference B: Bullet 4, Page 3), as taught by MobileLink would have utilized a plurality of well known database management techniques (methods, approaches) including but not limited to logically partitioning the collected data (e.g. tablespaces, one or more databases) in view of the teachings of official notice; the

resultant system providing a convenient mechanism to manage the plurality of survey data.

Additionally the cited phrases "proposal data" and "reference data" merely represent arbitrary labels describing the data received from the surveyor in response to the survey (prompts/questions) and are therefore non-functional descriptive material. Accordingly it would have been obvious in light of the prior art and to one skilled in the art at the time of the invention that what labels are used to describe/categorize the collected survey responses/data does not change the overall functionality of the system.

Regarding Claim 2 MobileLink teaches a survey system and method wherein the prompts (survey questions) are related to a store survey and include at least one of the following product size, location, content and/or combinations thereof (e.g. store, territory, product, inventories, prices, reference A: "Online Tour of MobileLink CE", Pages 5-8; reference B: Paragraphs 1-2; Page 2).

Regarding Claims 3-4 MobileLink teaches a survey system and method wherein the survey information (results, reference data, proposal data, etc.) is stored in a relational database (SQL database) wherein the database includes user-defined headings (fields, titles, labels, etc.; reference A: Paragraph 1, Page 1; reference C: "CSI MobileLink", Page 3).

While MobileLink teaches that the web reports enable users to "drill-down" from the top most data/report layer to the detailed layers/data below via a data hierarchy (e.g. territories → stores → products → price →inventory; reference B: "I can drill down into inventory levels, and see the status of marketing programs...", Paragraph 2, Page 2; reference C: Paragraph 3, Page 2; "drill-down into information by store or chain, product or product category, rep or region", Paragraph 2, Page 4) MobileLink does not expressly teach that the plurality of survey/survey response information is stored in a hierarchical tree structure as claimed.

Official notice is taken that storing/presenting hierarchical data utilizing a tree data structure (hierarchical data structure) is old and well known. Tree data structures are a widely used computer data structure that provides a convenient mechanism for organizing and quickly searching related/associated data/information.

It would have been obvious to one skilled in the art at the time of the invention that the survey system and method, with its ability to enable users to drill-down into the various hierarchical levels of its surveys via web reports, as taught by Mobilelink would have benefited from storing the plurality of interrelated/hierarchical data utilizing the well known tree data structure in view of the teachings of official notice; the resultant system providing a convenient mechanism for efficiently storing and/or searching (i.e. reporting on) the hierarchical information.

Regarding Claim 5 MobileLink teaches a survey system and method wherein the system includes a plurality of predetermined and user-definable information related to the stores to be visited (e.g. service calls, appointment schedule, etc.; reference A: "Open Site", Paragraph 1, Pages 7-8) including at least one of geographic data (location, territory; reference A: Paragraph 1, Page 11), retailer name (reference A: "...review general information about each store and it's management", Paragraph 1, Page 5), buyer contact information (reference A: Paragraph 1, Page 5) or the size (square footage, sales revenue, number of products, number of employees, etc.) of the retailer (business, store).

Regarding Claim 6 MobileLink teaches a survey system and method wherein the report utilizes at least a portion of the collected data (reference data, proposal data, survey results, etc.) to provide (generate, compile, etc.) a report of sales and that the reports (compiled information) are utilized to make future management decisions ("real-time web reports" reference A: "Online Tour of CSI Web Report", "Check Stocking Level", "Check Pricing Compliance", "Produce a Single Call Report", Pages 9-12; reference B: ; reference C: Paragraph 3, Page 2; Screen 1, Page 6).

MobileLink does not expressly teach that the collected data is utilized to project/predict future sales as claimed.

Official notice that projecting (forecasting, predicting) sales based on collected

data (information) is old and very well known and that such methods/systems enables

businesses to manage such things as stocking, staffing, or the like.

It would have been obvious to one skilled in the art at the time of the invention

that the data collection and analysis system and method, with its ability to provide a

plurality of reports to support business decisions such as stocking levels and marketing

program performance, as taught by MobileLink would have benefited from utilizing the

plurality of collected information to forecast sales in view of the teachings of official

notice; the resultant system enabling users/businesses to make forward-looking

business decisions based on the forecasted (extrapolated) sales reports/information.

Regarding Claim 7 MobileLink teaches a survey system and method wherein the

prompts (survey questions) collect information for at least one of the following store

location, type or combinations thereof (reference A: "Detailed information about each

site", Pages 7-8; "Check pricing Compliance with one or more retailers. Chose

coverage territories, data ranges, products....", Page 11; reference C: Paragraphs 3-4,

Page 2; Screen 1, Page 6) wherein reporting on store and other information collected by

the handheld survey system inherently involves the collection of that data.

Regarding Claim 8 MobileLink teaches a survey system and method wherein the

prompts (survey questions) collects information for at least one of the following product

details, the distributor, product costs, inventory amount, buyer details and sales

assumptions (reference A: "Detailed information about each site", Pages 7-8; "Check

pricing Compliance with one or more retailers. Chose coverage territories, data ranges,

products....", Page 11; reference B: Paragraphs 1-2, Page 2; reference C: "review

store-level inventory counts, pricing compliance and other competitive information",

Paragraphs 3-4, Page 2; Screen 1, Page 6) wherein reporting on store and other

information collected by the handheld survey system inherently involves the collection of

that data.

Regarding Claim 10 MobileLink teaches a survey system and method further

comprising additional prompts (survey questions) guiding the surveyor to enter data

responsive to the prompts (survey results, answers) and storing the responses in a

database (i.e. creating additional survey questions; reference A: "CSI MobileLink

Desktop Administrator", "Create surveys", Pages 3-4; reference B: "PC Questionnaire

creation tool", Bullet 2, Page 3; reference C: Paragraph 4, Page 2).

Regarding Claim 11 MobileLink teaches a survey system and method wherein

prompts collect information corresponding (based on, driven by, etc.) based on the

questions/surveys as defined by the user, which include predetermined (existing,

standard) and user-defined data fields (i.e. headings, labels, etc.) in the database

(system; reference A: "MobileLink offers several user-definable fields for greater

flexibility.", Page 8; reference B: "PC questionnaire creation tool", Bullet 2, Page 3).

Regarding Claim 12 MobileLink teaches a survey system and method wherein information is collected (entered, selected, inputted, etc.), via prompts (survey questions) for inclusion in a survey report (reference A: "Online Tour of CSI MobileLink Web Reports", Pages 9-12).

Regarding Claim 13 MobileLink teaches a survey system and method further comprising generating a survey report based on selected survey information from the collected and stored survey information (report data, proposal, data, reference data, survey results, etc.) the format of which is at least partially determined by the user (i.e. user/customer determining what to view/report on; reference A: "select the type of report", Page 10; "Choose coverage territories, data ranges, products...", Page 11; reference C: Paragraph 3, Page 2; "drill-down into information by store or chain, product or product category, rep or region", Paragraph 2, Page 4).

Regarding Claim 14 MobileLink teaches a survey system and method comprising:

- generating (providing, displaying, etc.) a series of prompts (e.g. survey questions) that guide the surveyor (user) to enter responses to the prompts (data, proposal data, etc.; reference A: "CSI MobileLink CE", Page 3; "Online Tour of CSI MobileLink CE", Pages 5-8; reference B: "in-store survey" , Paragraph 1, Page 2; "Key Benefits", Page 2"; Paragraph 1, Page 3);

- storing the response data (survey answers) in a database having at least a partially predetermined structure (schema, design, etc.; reference A: Paragraph 1, Page 1; reference B: Paragraph 1, Bullet 4, Page 3);

- automatically retrieving selected response data stored in the database and storing the selected data and additional data (responses, proposal data, etc.) in a database for re-use (i.e. reporting, analysis, etc.; reference A: "Online Tour of CSI MobileLink Web Reports", Pages 9-12);

- extracting selected data from the stored response data (survey results; e.g. extracting data for reporting, analysis, etc.; reference A: "Online Tour of CSI MobileLink Web Reports", Pages 9-12); and

- generating a report having a format that is at least partially determined by the structure of the database where the selected/reported data is stored/extracted from (reference data, proposal data, survey results, etc.; reference A: "Online Tour of CSI MobileLink Web Reports", Pages 9-12; reference C: Paragraphs 3-4, Page 2; Screen 1, Page 6).

While MobileLink discloses a flexible and customizable data collection and analysis system (survey) that stores and analyzes a plurality of information in a conventional database/database subsystem MobileLink does not expressly teach that the collected data (survey results, proposal data, reference data) is stored in first and second databases as claimed.

Official notice is taken that creating logical partitions of data (i.e. first and second databases) is old and well known in the art and typically assist in the management of the database as a whole as discussed above.

Further the phrases "first database" and "second database" simply provide an label for the location of the stored/organized survey results and therefore represent non-functional descriptive material since it is obvious in light of the prior art and to one skilled in the art at the time of the invention that where (in what file, data set, memory, data storage device, etc.) the collected survey information is stored (one or more databases, data files, table spaces, etc.) in the system or its subsystems does not change the overall functionality of the system.

It would have been obvious to one skilled in the art at the time of the invention that the data collection and analysis system and method, with its utilization of well known and widely used "state-of-the art SQL database for data synchronization storage and reporting" (reference B: Bullet 4, Page 3), as taught by MobileLink would have utilized a plurality of well known database management techniques (methods, approaches) including but not limited to logically partitioning the collected data (e.g. tablespaces, one or more databases) in view of the teachings of official notice; the resultant system providing a convenient mechanism to manage the plurality of survey data.

Additionally the cited phrases "proposal data" and "reference data" merely represent arbitrary labels describing the data received from the surveyor in response to the survey (prompts/questions) and are therefore non-functional descriptive material. Accordingly it would have been obvious in light of the prior art and to one skilled in the art at the time of the invention that what labels are used to describe/categorize the collected survey responses/data does not change the overall functionality of the system.

Further the phrases "reference database module", "work database module" and "interface module" represent non-functional descriptive material since it is obvious in light of the prior art and to one skilled in the art that where (in what section, portion, subsystem, routine, code, segment, object, etc.) the method steps are performed by the system or it's subsystems (components, sections, code, routines, etc.) does not change the overall functionality of the system.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Jones et al., U.S. Patent No. 3,956,740, teach a handheld data collection system for conducting store surveys (e.g. merchandising orders).

- Call et al., U.S. Patent No. 4,012,720, teach a market survey system and method for collection a plurality of market information including but not limited to product, inventory, stores, prices, or the like.

- Blum, Alvin S., U.S. Patent No. 4,628,193, teaches a method and system for guiding a surveyor to enter information in response to a series of prompts via a handheld device.

- Holland et al., U.S. Patent No. 5,166,499, teach a method and system for guiding a surveyor to enter information in response to a series of prompts via a handheld computer wherein the data is transmitted/transferred to a subsystem for analysis and reporting purposes.

- Maeda et al., U.S. Patent No. 5,377,095, teach a system and method for forecasting/projecting sales based on store information (e.g. merchandise).

- Holland, Richard F., U.S. Patent No. 5,399,844, teach system and method for guiding a surveyor to enter information (e.g. inspection information) in response to a series of prompts via a handheld/portable computer wherein the system stores a plurality of collected information several logical partitions (databases, files).

- Peters et al., U.S. Patent No. 5,893,844, teach a method and system for managing the complete survey (i.e. guiding users to enter information in response to survey questions/prompts) lifecycle from survey creation, distribution, collection, analysis and reporting via a computer network.

- Weidenfeller et al., U.S. Patent No. 7,028,602, teach a method and system for managing (storing, displaying, etc.) hierarchical data utilizing a tree data structure.

- Overhultz et al., U.S. Patent No. 6,837,427, teach a system and method insuring advertising compliance wherein the system collects a plurality of information related to in-store advertising of products/services.

- Johnson et al., U.S. Patent No. RE 31,951, teach an electronic market survey data collection system and method.

- Shotey et al., U.S. Patent Publication No. 2002/0004740, teach a handheld retail site survey system and method wherein the system guides a surveyor (merchandiser) to enter a plurality of store/product related information via a series of prompts (survey questions) wherein the marketing data is stored and analyzed using a database subsystem.

- Joch, Alan, Concocting a stout brew of information, teaches the commercial utilization of CASIO Soft's MobileLink system by Anheuser-Busch as a merchandising and sales force automation tool wherein "Surveys are presented to users on WindowsCE devices, surveys are created and managed on Windows desktop machines, and data is stored on and reports are generated from Microsoft Corp.'s SQL server running on WindowsNT."

　　　- CASIO Soft's New Enterprise Mobile Data Collection Solution teaches the

commercial availability of the CSI MobileLink system wherein the system "enables

customers to conduct electronic surveys and inventories quickly, and to deliver

aggregated in-store information to business managers on the same day."

　　　- CASIO Soft Ltd. Launches MobileLink in the UK teaches the commercial

availability of the CSI MobileLink system.

　　　- Cadgene, Narcisse, Sales and Merchandising – Organizing for Profits teaches

the old and well known utilization of merchandisers to collect a plurality of retail

information.

　　　- ThinkingBytes.com Internet Pages teaches the commercial availability of a

handheld data collection and analysis system and method ("electronic questionnaire

system", SurveyMate).

　　　- Oracle 8 Server Concepts, Tablespaces and Datafiles teaches the old and well

known utilization of tablespaces and data files in database management systems.

　　　Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Scott L. Jarrett whose telephone number is (571) 272-

7033. The examiner can normally be reached on Monday-Friday, 8:00AM - 5:00PM.

　　　If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Hafiz Tariq can be reached on (571) 272-6729. The fax phone number for

the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the

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SJ
8/12/2005

SUSANNA M. DIAZ
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